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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/609,413	07/01/2003	Takashi Ishizaka	0505-1209P	9456
2292	7590	10/17/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			BONCK, RODNEY H	
			ART UNIT	PAPER NUMBER
			3681	

DATE MAILED: 10/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/609,413	Applicant(s) ISHIZAKA ET AL.	
	Examiner Rodney H. Bonck	Art Unit 3681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-11 and 14-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,11 and 14 is/are rejected.
- 7) ☒ Claim(s) 5-10 and 15-20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>08/24/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The following action is in response to the amendment received August 24, 2005.

Information Disclosure Statement

Receipt is acknowledged of the Information Disclosure Statement filed August 24, 2005. The cited document has been considered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1, 2, 4, 11, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over St. John('320) in view of Peterson('555). St. John discloses a centrifugal clutch comprising a clutch weight 33 having a plurality of weight component members 70 (Figs. 11-13), which are stacked and fixed to each other. Each of the weight component members 70 has a first part and a second part, wherein first part (holes 78) has a smaller specific gravity than the second part. Regarding claim 11, St. John discloses a centrifugal clutch wherein the clutch weight is formed of members 70 with portions differing in specific gravity. St. John does not appear to disclose making the weights of sintered metallic powder as called for in these claims, but making centrifugal clutches from sintered metal is well known, as acknowledged by applicants in the instant specification. St. John does disclose altering the weight plates to achieve differing engagement characteristics of the clutch. Peterson discloses pivotal centrifugal weights 40, 56 for use in a variable pulley and provides means to vary the mass and moment of inertia of the weights. The weight components in Peterson are made of sintered metal and can include portions at 52-55 of larger specific gravity to vary the position of the center of gravity of the weight member. Material can be charged or fitted in holes 52-55 to add this material. The weight components can be formed of members 64, 65, 66 stacked together (Fig. 9), the members having different shapes. It would have been obvious to carry this teaching to the centrifugal clutch of St. John, the motivation being to provide a means to vary the engagement characteristics of the clutch.

Allowable Subject Matter

Claims 5-10 and 15-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

The amendment of August 24, 2005 corrects informalities noted in the previous Office action. Accordingly, the objection to the disclosure is withdrawn. Similarly, the objection to claim 10 for informalities is withdrawn in view of the amendment of August 24, 2005.

The claims have been reconsidered in light of the prior art and in view of applicants' amendments to the claims. Regarding claim 1, a centrifugal clutch with weight components having a first part and a second part, the parts having differing specific gravities for positioning the center of gravity, is taught by the prior art. While using sintered metallic powder for the weights is known, limitations as to the method of making the weight component members would not carry patentable weight in these claims to the centrifugal clutch. Regarding claim 11, the applied art suggests laminated clutch weights and suggests providing inserts of material having a different specific gravity than the base material to adjust the position of the center of gravity. While the applied references do not show the claimed "tetra-opening", the shape of the opening would not be of patentable significance and would be variable within the skill of the

artisan. Thus the combination of St. John('320) and Peterson('555) is still considered to meet claims 1, 2, 4, 11, and 14. After reconsideration, however, claims 5 and 15 would be allowed if rewritten in independent form, incorporating the limitations of the parent claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lewis('833), Erickson et al.('478), and Hooper('255) are cited for their teaching of adjusting the center of gravity of weight members.

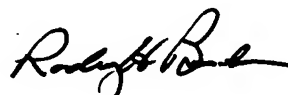
THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney H. Bonck whose telephone number is (571) 272-7089. The examiner can normally be reached on Monday-Friday 7:00AM - 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A. Marmor can be reached on (571) 272-7095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Rodney H. Bonck
Primary Examiner
Art Unit 3681

rhb
October 5, 2005